

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **"BIOREACTORS WITH AN ARRAY OF CHAMBERS AND A COMMON FEED LINE."**

The specification of which

- a. ☐ is attached hereto  
b. ☒ was filed on February 24, 2005 as application serial no. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable) (in the case of a PCT-filed application) described and claimed in international no. \_\_\_\_\_ filed \_\_\_\_\_ and as amended on \_\_\_\_\_ (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)
PCT/US2003//026802	27 August 2003	

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/406,278	27 August 2002

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I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application:

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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I hereby appoint the following attorney(s) and/or patent agent(s) connected herewith the following customer number to prosecute this application and to transact all business in the Patent and Trademark Office:

**CUSTOMER NO.**  
**\*24728\***

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Morris, Manning & Martin, LLP to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Morris, Manning & Martin, LLP, or any of its attorneys. Please direct all correspondence in this case to **Tim Tingkang Xia, Esq.** of Morris, Manning & Martin, LLP at the address associated with the following customer number:

**CUSTOMER NO.**  
**\*24728\***

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
		WIKSWO	John	P.
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2	Full Name Of Inventor	Family Name <b>REISERER</b>	First Given Name <b>Randall</b>	Second Given Name <b>S.</b>
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Signature of Inventor 4:				Date:

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**GENERAL POWER OF ATTORNEY  
CONCERNING INTERNATIONAL PATENT APPLICATIONS  
PATENT COÖPERATION TREATY  
APPOINTMENT OF AGENT**

The undersigned applicant(s) hereby appoints:


XIA, Tim Tingkang	Reg. No. 45,242
HARRIS, John. R.	Reg. No. 30,388
TODD, Jack D.	Reg. No. 44,375
TILLMAN, Chad. D.	Reg. No. 38,634
ANDERSON, Brian J.	Reg. No. 43,470
STANO, Dana E.	Reg. No. 50,750
MACDONALD, Brian D.	Reg. No. P-54,288

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(704) 554-8982 (Charlotte)

as agents to act on its behalf before the competent International Authorities in connection with any and all International applications filed under the Patent Cooperation treaty in the U.S. Receiving Office, and to receive payments on behalf of the undersigned.

Nashville, Tennessee, USA    Feb. 13    , 2004  
Place: City, State & Country    Date

**VANDERBILT UNIVERSITY**

By:   
Name: Christopher D. McKinney  
Title: Director

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as agents to act on its behalf before the competent International Authorities in connection with the International Application concerning "BIOREACTORS WITH AN ARRAY OF CHAMBERS AND A COMMON FEED LINE," Attorney Docket No. 14506-43841, which was filed in the U.S. Receiving Office on 27 August 2003, under Application No. PCT/US03/26802.

Nashville, Tennessee USA, 2004  
Place: City, State & Country                      Date

By: David E. Cliffl  
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Nashville TN Davidson County 01 SEP, 2004  
Place: City, State & Country                      Date

By: Eugene J. LeBoeuf  
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Nashville, Tennessee, USA      9/1/, 2004  
Place: City, State & Country      Date

By:   
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Address: 3252 Cain Harbor Drive, Nashville, Tennessee 37214

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PATENT ASSIGNMENT

10/525538

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09/10/2004  
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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

## CONVEYING PARTY DATA

Name	Execution Date
Mr. John P. Wikswo	08/30/2004
Mr. David E. Cliffl	08/30/2004
Mr. Eugene J. LeBoeuf	09/01/2004
Mr. Randall S. Reiserer	09/01/2004

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## PROPERTY NUMBERS Total: 1

Property Type	Number
PCT Number:	US0326802

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Address Line 2: 1600 Atlanta Financial Center  
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NAME OF SUBMITTER:	Tim Tingkang Xia
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Total Attachments: 9

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**ELECTRONIC PATENT ASSIGNMENT SYSTEM (EPAS) CONFIRMATION RECEIPT**

The USPTO has received a Patent Assignment submitted through the Electronic Patent Assignment System (EPAS). This is the only acknowledgement of receipt that will be transmitted for this EPAS submission. The submission may not be recalled.

After review by Assignment Services Division personnel a Notice of Recordation/Non-Recordation will be returned via fax. USPTO will attempt to fax to the number provided in the submission; fax failures will be delivered via US Postal Service to the Correspondence Address provided in the submission.

If a communication from the Assignment Services Division has not been received within 60 days of your confirmation receipt contact the Assignment Services Division Customer Service Desk at 703-308-9723 or send an e-mail to [epas@uspto.gov](mailto:epas@uspto.gov).

If you have a technical question, comment or concern about your EPAS submission call 703-308-9723 during business hours or e-mail to [epas@uspto.gov](mailto:epas@uspto.gov). Please have your EPAS receipt ID which is 'EASPAT8086' available when calling or writing for assistance.

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**PATENT ASSIGNMENT**

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<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT
<b>CONVEYING PARTY DATA</b> NameExecution Date Mr.JohnP.Wiksw08/30/2004 Mr.DavidE.Cliffel08/30/2004 Mr.EugeneJ.LeBoeuf09/01/2004 Mr.RandallS.Reiserer09/01/2004	
<b>RECEIVING PARTY DATA</b> Name:Vanderbilt University Street Address:1207 17th Avenue South Internal Address:Suite 105 City:Nashville State/Country:TENNESSEE Postal Code:37027	
<b>PROPERTY NUMBERS Total: 1</b> Property TypeNumber PCT Number:US0326802	
<b>CORRESPONDENCE DATA</b> Fax Number:(404)365-9532 Correspondence will be sent via US Mail when the fax attempt is unsuccessful. Phone:404-233-7000 Email:kbb@mmmlaw.com Correspondent Name:Tim Ting kang Xia Address Line 1:3343 Peachtree Road, N.E. Address Line 2:1600 Atlanta Financial Center Address Line 4:Atlanta, GEORGIA 30326	
<b>NAME OF SUBMITTER:</b>	Tim Ting kang Xia
<b>Signature:</b>	/Tim Ting kang Xia/
<b>Date:</b>	09/10/2004
<b>Total Attachments: 9</b> source=Assignment_Page_1#page1.tif source=Assignment_Page_2#page1.tif source=Assignment_Page_3#page1.tif source=Assignment_Page_4#page1.tif source=Assignment_Page_5#page1.tif source=Assignment_Page_6#page1.tif source=Assignment_Page_7#page1.tif source=Assignment_Page_8#page1.tif source=Assignment_Page_9#page1.tif	
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<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT												
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT												
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<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Mr. John P. Wikswo</td><td>08/30/2004</td></tr><tr><td>Mr. David E. Cliffl</td><td>08/30/2004</td></tr><tr><td>Mr. Eugene J. LeBoeuf</td><td>09/01/2004</td></tr><tr><td>Mr. Randall S. Reiserer</td><td>09/01/2004</td></tr></tbody></table>	Name	Execution Date	Mr. John P. Wikswo	08/30/2004	Mr. David E. Cliffl	08/30/2004	Mr. Eugene J. LeBoeuf	09/01/2004	Mr. Randall S. Reiserer	09/01/2004			
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Tim Tingkan Xia

**Signature:**

/Tim Tingkan Xia/

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**Total Attachments: 9**

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